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Docket No.: M4065.0656/P656
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Terry L. Gilton

Confirmation No. 2658

Application No.: 10/663,741

Art Unit: 2811

Filed: September 17, 2003

Examiner: Cuong Q. Nguyen

For: NON-VOLATILE MEMORY STRUCTURE

**REQUEST FOR ACKNOWLEDGMENT OF
INFORMATION DISCLOSURE STATEMENTS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests that the receipt and consideration of the Information Disclosure Statements filed on June 18, 2004, June 4, 2004, March 11, 2004, and December 18, 2003 be formally acknowledged at the earliest possible convenience. For convenience, attached hereto is a copy of the June 18, 2004 Information Disclosure Statement, Form PTO SB/08 and the corresponding postcard receipt with date-stamp showing the date of filing. The June 4, 2004, March 11, 2004 and December 18, 2003 PTO SB/08's (copies attached) were received back with the September 24, 2004 Quayle Office Action date-stamped, however, they are not acknowledged with the Examiner's initials.

Application No.: 10/663,741

Docket No.: M4065.0656/P656

Dated: October 1, 2004

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Christopher S. Chow

Registration No.: 46,493

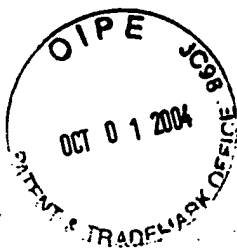
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant



Atty Docket No.: M4065.0656/P656

Inventor: Terry L. Gilton

Application No.: 10/663,741-Conf. #2658
Title: NON-VOLATILE MEMORY STRUCTURE

Filing Date: September 17, 2003

Documents Filed:

Information Disclosure Statement (2 pages in duplicate), PTO SB/08 (1 page) with reference

Via: PTO DAILY RUN

Sender's Initials: TJD/CSC/cdl

Date: June 18, 2004



646-17-01



Docket No.: M4065.0656/P656
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Terry L. Gilton

Application No.: 10/663,741

Filed: September 17, 2003

Art Unit: 2811

For: **NON-VOLATILE MEMORY
STRUCTURE**

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the reference listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of the reference listed on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed reference.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M4065.0656/P656. A duplicate copy of this paper is enclosed.

Dated: June 18, 2004

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Christopher S. Chow

Registration No.: 46,493

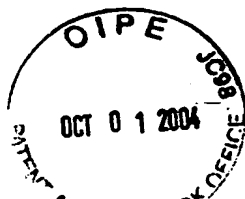
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Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant



PTO/SB/08a/b (08-03)
 Approved for use through 07/31/2008. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/663,741
				Filing Date	September 17, 2003
				First Named Inventor	Terry L. Gilton
				Art Unit	2811
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	M4065.0656/P656

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A	6,673,648	01/06/2004	Lowrey	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Office Action Summary

OCT 01 2004

Application No.

10/663,741

Applicant(s)

GILTON, TERRY L.

Examiner

Cuong Q Nguyen

Art Unit

2811

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
4a) Of the above claim(s) 10-25 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 26-46 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

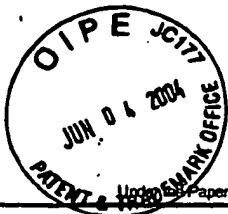
Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12-18-03, 03-11-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO			Complete if Known		
			Application Number	10/663,741	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Filing Date	September 17, 2003	
			First Named Inventor	Terry L. Gilton	
			Art Unit	2811	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	3	Attorney Docket Number	M4065.0656/P656

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A	US 2004/0035401	2/2004	Ramachandran et al.	
	B	US 2003/0212724	11/2003	Ovshinsky et al.	
	C	US 2003/0048744	3/2003	Ovshinsky et al.	
	D	US 2003/0212725	11/2003	Ovshinsky et al.	
	E	US RE 37,259E	7/2001	Ovshinsky	
	F	US 3,271,591	9/1966	Ovshinsky	
	G	US 3,961,314	6/1976	Klose et al.	
	H	US 3,966,317	6/1976	Wacks et al.	
	I	US 3,983,542	11/1976	Ovshinsky	
	J	US 3,988,720	10/1976	Ovshinsky	
	K	US 4,177,474	12/1979	Ovshinsky	
	L	US 4,267,261	5/1981	Hallman et al.	
	M	US 4,597,162	7/1986	Johnson et al.	
	N	US 4,608,296	8/1986	Keem et al.	
	O	US 4,637,895	1/1987	Ovshinsky et al.	
	P	US 4,646,266	2/1987	Ovshinsky et al.	
	Q	US 4,664,939	5/1987	Ovshinsky	
	R	US 4,668,968	5/1987	Ovshinsky et al.	
	S	US 4,670,763	6/1987	Ovshinsky et al.	
	T	US 4,673,957	6/1987	Ovshinsky et al.	
	U	US 4,678,679	7/1987	Ovshinsky	
	V	US 4,696,758	9/1987	Ovshinsky et al.	
	W	US 4,698,234	10/1987	Ovshinsky et al.	
	X	US 4,710,899	12/1987	Young et al.	
	Y	US 4,728,406	3/1988	Banerjee et al.	
	Z	US 4,737,379	4/1988	Hudgens et al.	
	A1	US 4,766,471	8/1988	Ovshinsky et al.	
	B1	US 4,769,338	9/1988	Ovshinsky et al.	
	C1	US 4,775,425	10/1988	Guha et al.	
	D1	US 4,788,594	11/1988	Ovshinsky et al.	
	E1	US 4,809,044	2/1989	Pryor et al.	
	F1	US 4,818,717	4/1989	Johnson et al.	
	G1	US 4,843,443	6/1989	Ovshinsky et al.	
	H1	US 4,845,533	7/1989	Pryor et al.	
	I1	US 4,853,785	8/1989	Ovshinsky et al.	
	J1	US 4,891,330	1/1990	Guha et al.	
	K1	US 5,128,099	7/1992	Strand et al.	
	L1	US 5,159,661	10/1992	Ovshinsky et al.	
	M1	US 5,166,758	11/1992	Ovshinsky et al.	
	N1	US 5,177,567	1/1993	Kiersy et al.	
	O1	US 5,296,716	3/1994	Ovshinsky et al.	
	P1	US 5,335,219	8/1994	Ovshinsky et al.	
	Q1	US 5,359,205	10/1994	Ovshinsky	
	R1	US 5,341,328	8/1994	Ovshinsky et al.	
	S1	US 5,406,509	4/1995	Ovshinsky et al.	



PTO/SB/08a/b (08-03)
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			Application Number	10/663,741	
			Filing Date	September 17, 2003	
			First Named Inventor	Terry L. Gilton	
			Art Unit	2811	
			Examiner Name	Not Yet Assigned	
Sheet	2	of	3	Attorney Docket Number	M4065.0656/P656

T1	US 5,414,271	5/1995	Ovshinsky et al.	
U1	US 5,534,711	7/1996	Ovshinsky et al.	
V1	US 5,534,712	7/1996	Ovshinsky et al.	
W1	US 5,536,947	7/1996	Klersy et al.	
X1	US 5,543,737	8/1996	Ovshinsky	
Y1	US 5,591,501	1/1997	Ovshinsky et al.	
Z1	US 5,596,522	1/1997	Ovshinsky et al.	
A2	US 5,687,112	11/1997	Ovshinsky	
B2	US 5,694,054	12/1997	Ovshinsky et al.	
C2	US 5,714,768	2/1998	Ovshinsky et al.	
D2	US 5,825,046	10/1998	Czubatyj et al.	
E2	US 5,912,839	6/1999	Ovshinsky et al.	
F2	US 5,933,365	8/1999	Klersy et al.	
G2	US 6,011,757	1/2000	Ovshinsky	
H2	US 6,087,674	7/2000	Ovshinsky et al.	
I2	US 6,141,241	10/2000	Ovshinsky et al.	
J2	US 6,339,544	1/2002	Chiang et al.	
K2	US 6,404,665	6/2002	Lowery et al.	
L2	US 6,429,064	8/2002	Wicker	
M2	US 6,437,383	8/2002	Xu	
N2	US 6,462,984	10/2002	Xu et al.	
O2	US 6,480,438	11/2002	Park	
P2	US 6,487,113	11/2002	Park et al.	
Q2	US 6,501,111	12/2002	Lowery	
R2	US 6,507,061	1/2003	Hudgens et al.	
S2	US 6,511,862	1/2003	Hudgens et al.	
T2	US 6,511,867	1/2003	Lowery et al.	
U2	US 6,512,241	1/2003	Lai	
V2	US 6,514,805	2/2003	Xu et al.	
W2	US 6,531,373	3/2003	Gill et al.	
X2	US 6,534,781	3/2003	Dennison	
Y2	US 6,545,287	4/2003	Chiang	
Z2	US 6,545,907	4/2003	Lowery et al.	
A3	US 6,555,860	4/2003	Lowery et al.	
B3	US 6,563,164	5/2003	Lowery et al.	
C3	US 6,566,700	5/2003	Xu	
D3	US 6,567,293	5/2003	Lowery et al.	
E3	US 6,569,705	5/2003	Chiang et al.	
F3	US 6,570,784	5/2003	Lowery	
G3	US 6,576,921	6/2003	Lowery	
H3	US 6,586,781	7/2003	Lowery	
I3	US 6,589,714	7/2003	Maimon et al.	
J3	US 6,590,807	7/2003	Lowery	
K3	US 6,593,176	7/2003	Dennison	
L3	US 6,597,009	7/2003	Wicker	
M3	US 6,605,527	8/2003	Dennison et al.	
N3	US 6,613,604	9/2003	Maimon et al.	
O3	US 6,621,095	9/2003	Chiang et al.	
P3	US 6,625,054	9/2003	Lowery et al.	
Q3	US 6,642,102	11/2003	Xu	

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	R3	US 6,646,297	11/2003	Dennison	
	S3	US 6,649,928	11/2003	Dennison	
	T3	US 6,667,900	12/2003	Lowery et al.	
	U3	US 6,671,710	12/2003	Ovshinsky et al.	
	V3	US 6,673,700	1/2004	Dennison et al.	
	W3	US 6,674,115	1/2004	Hudgens et al.	
	X3	US 6,687,427	2/2004	Ramalingam et al.	
	Y3	US 6,690,026	2/2004	Peterson	
	Z3	US 6,696,355	2/2004	Dennison	
	A4	US 6,687,153	2/2004	Lowery	
	B4	US 6,707,712	3/2004	Lowery	
	C4	US 6,714,954	3/2004	Ovshinsky et al.	

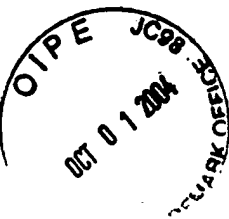
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.¹	Foreign Patent Document Country Code^a-Number^b+Kind Code^c (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T

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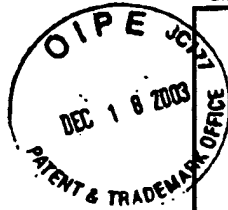
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	YOJI KAWAMOTO et al., "Ionic Conduction in As ₂ S ₃ -Ag ₂ S, GeS ₂ -GeS ₂ -GeS-Ag ₂ S and P ₂ S ₅ -Ag ₂ S Glasses," Journal of Non-Crystalline Solids 20 (1976) 393-404.	

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PTO/SB/08A (10-01)

Approved for use through 10/31/2002.OMB 0651-0031

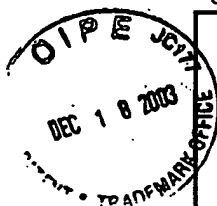
U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/663,741	
			Filing Date	September 17, 2003	
			First Named Inventor	Terry L. Gilton	
			Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	11	Attorney Docket Number	M4065.0656/P656

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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code* (if known)			
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	AB	2002/0072188	6/13/2002	Gilton	
	AC	2002/0106849	08/08/2002	Moore	
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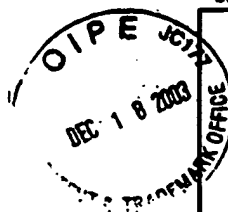
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	56126916	10/19981	Akira et al.		
	BB	WO 97/48032	12/18/1997	Kozicki et al.		
	BC	WO 99/28914	06/10/1999	Kozicki et al.		
	BD	WO 00/48196	08/17/2000	Kozicki et al.		
	BE	WO 02/21542	03/14/2002	Kozicki et al.		

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



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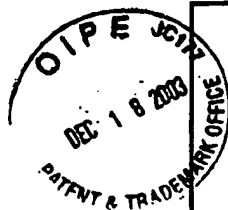
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Sheet	4	of	11	Application Number	10/663,741
				Filing Date	September 17, 2003
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				Group Art Unit	N/A
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	M4065.0656/P656

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Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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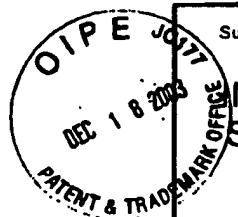
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		First Named Inventor	Terry L. Gilton
		Group Art Unit	N/A
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	M4065.0656/P656
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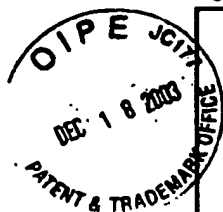
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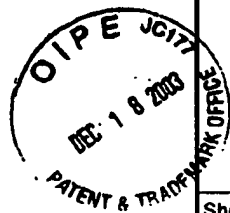
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